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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/092,090	03/06/2002	Hiroaki Furuyama	B422-182	8519
26272 7590 05/01/2008 COWAN LIEBOWITZ & LATMAN P.C. JOHN J TORRENTE 1133 AVE OF THE AMERICAS NEW YORK, NY 10036				
EXAMINER VENT, JAMIE J				
ART UNIT 2621		PAPER NUMBER		
MAIL DATE 05/01/2008		DELIVERY MODE PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments filed April 7, 2008 have been fully considered but they are not persuasive. On pages 2-3 applicant argues that Imai et al (US 6,771,882) in view of Hori et al (US 6,263,148) in further view of Kori et al (US 5,513,010) fails to disclose, suggest, or teach the following limitation "recording mode setting for setting a first and second recording mode with a second information quantity larger than the first per unit time and a second recording mode for recording image data having a second information quantity larger than the first information quantity time per unit time" as recited in Claim 1. It is disclosed by Imai et al that a first and second recording modes are present through the use of SD and SDL modes as described in Column 2 Lines 15-21. Additionally, Kori et al teaches a system wherein still pictures are recorded based on a time limit and each picture becomes a new recording (Column 15 Lines 48+ through Column 16 Lines 1-17). The recording modes are based on the time limit and thereby meet the limitation of setting a quantity per unit time for the information to be processed and recorded.
2. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "first recording period for recording **still** image data recorded in a first recording mode recording data of a first information quantity per time and a second shorter recording period for recording **still** image data of a larger second information quantity time" ) are not recited in the rejected claim(s). Although the claims are interpreted in

light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). It is noted that the claim status of November 9, 2007 recites Claim 1 to include a "first recording period for recording image data" and does not recite "recording still data".

3. Furthermore, it is noted that examiner understands the arguments regarding SD and SDL modes having various time periods and the SD mode having a shorter recording period in order to record still image data in the SDL mode stated on pages 2-6; however, the claim limitations do not recite the arguments as described above in regard to recording still data. Although, all of applicants points are understood the examiner can not agree and the rejection is maintained.

#### ***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMIE JO VENT whose telephone number is (571)272-7384. The examiner can normally be reached on 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2623

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/John W. Miller/

Supervisory Patent Examiner, Art Unit 2623

/J. J. V./

Examiner, Art Unit 2621